

Former Landlord Accused by Couple

New Hampshire Court Opens Trial Of \$125,000 Bug-in-Bedroom Suit

By Jean M. White

Washington Post Staff Writer

LACONIA, N.H., Jan. 25 — From the time they heard noises in a hot-air register and found a speaker nearby in the cellar, the Carl Hambergers found themselves living in an Orwellian nightmare world with a big-brother ear eavesdropping on the privacy of their bedroom.

This was the picture drawn by the attorney for Carl and Mae Hamberger, former residents of nearby Gilford, who are seeking \$125,000 damages on grounds of invasion of privacy.

The couple charges that their former landlord, poultry farmer Clifford C. Eastman, invaded "the privacy and sanctity of their bedroom" with a listening and recording device.

The "bed-bugging" trial opened today in Belknap Superior Court here, seven miles from what is generally thought to be the real-life prototype for Peyton Place—Gil-

manton Iron Works, a small New England village where author Grace Metalious once lived. But laconic Laconians don't like to talk about this.

Peter Makris, attorney for the Hambergers, called an electronic expert to testify about how easy and cheap it is for anyone to assemble his own private ear for electronic snooping. Richard Shea, of Schenectady, N.Y., said a \$2 five-inch radio speaker easily can be used as an extremely sensitive sound pickup device.

In his opening statement to the jury, Makris said he will show that such a speaker was concealed in a hot-air duct only two feet from the headboard of the Hambergers' double bed and then attached to two wires that went through the basement rafters and then underground several hundred feet of a chicken house. There, he said, the wires emerged and led to the Eastman's house.

Shea, an electronics consulting engineer with a hearing

aid, testified that such a set-up could pick up normal conversation up to 40 feet distant from the microphone and the words could be clearly heard from up to 1000 feet away with an intercom system.

He said that such a system could even pick up whispers within ten feet of the speaker.

The attorneys' lines of questioning made clear that the legal argument was going to boil down to this: Was the speaker placed in the basement for bedroom spying or was it put there to monitor a water pump essential to the operation of Eastman's Sunny Slope Poultry Farm?

The Hambergers, a couple in their 30s with four children, now live in Barrington, R.I.

Hamberger took the stand in the late afternoon as his wife, a trim blonde in a Kelly green dress, listened. Hamberger described how he met his wife in the village drugstore on his first day in Laconia after im-

See BUG, A10, Col. 2

migrating from Germany in late 1954, how they were married in September, 1956, and how he adopted his wife's daughter born out of wedlock. He then told how his father-in-law arranged for the young couple to rent the Eastman house for \$15 a week.

In the earlier testimony Shea was asked if the speaker found in the cellar in October, 1962, could have been used to monitor a water pump. He said that might be the case, but it would be "doing things the hard way."

To monitor the water pump with such a system, he testified, would mean the button would have to be pressed on the receiving end to see if the pump were operating.

Shea said it would be much easier just to attach wires from the pump to a bulb that would light up when the pump was working.

Under cross-examination Hugh Bownes, chief defense lawyer, pushed Shea on testimony to establish the point that a chicken farmer might well use such a device to monitor a pump if he had found such a system installed on another pump when he bought the farm.

The hearing drew about 50 spectators or so during the day, predominantly women. One woman, whose companion complained about the hard courtroom benches replied: "Well, we didn't come here to be comfortable."